



MINUTES

**Ordinary Council Meeting
Wednesday, 20 July 2022**

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	Council Adjourned: 10:34am	
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**MINUTES OF MOUNT ISA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 23 WEST STREET, MOUNT ISA
ON WEDNESDAY, 20 JULY 2022 AT 9AM**

PRESENT: Crs Slade, Barwick, Fortune, MacRae, Stretton, Tully, Coghlan

IN ATTENDANCE: David Keenan (Chief Executive Officer), Chiley Luangala (Director Corporate and Community), Renee Wallace (Director Infrastructure Services)

1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRY

2 PRAYER

Pastor Tim, Baptist Church

3 APOLOGIES/LEAVE OF ABSENCE

Nil

4 PUBLIC PARTICIPATION

Presentations

Community Grants

- Mount Isa Motorsport and Rec Inc.
- Mount Isa Hockey Assoc.

Environmental Grants

- Rainbow Gateway Pty Ltd
- Mount Isa Campdraft Association Inc.
- Mount Isa Day Nursery and Kindergarten Inc.
- Happy Valley Community Kindergarten
- Mount Isa Amateur Netball Association

Casual for a Cause

- Red Rose Foundation

Mr G Kreutz

Mr Kreutz queried outstanding service requests and the possibility of bringing classical music into the community.

Councillor Peta MacRae entered the chambers at 9:26am.

5 CONFIRMATION OF PREVIOUS MEETING MINUTES**5.1 MINUTES OF THE SPECIAL MEETING HELD ON 9 JUNE 2022****RESOLUTION OM01/ 07/22**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT the Minutes of the Special Meeting held on 9 June 2022 be received and the recommendations therein be adopted.

CARRIED

5.2 MINUTES OF THE SPECIAL MEETING HELD ON 29 JUNE 2022**RESOLUTION OM02/ 07/22**

Moved: Cr Phil Barwick

Seconded: Cr Paul Stretton

THAT the Minutes of the Special Meeting held on 29 June 2022 be received and the recommendations therein be adopted.

It is noted that Mayor Cr Danielle Slade advised that her conflict of interest in relation to Item 6.1 Office of the Independent Assessor Complaint Referral (C/22/00349) in the minutes of the Special Meeting Held on 29 June 2022 was that she was the subject of the complaint. Mayor Cr Danielle Slade has now indicated that this was not the case and she is in fact the complainant.

CARRIED

6 ACTIONS FROM PREVIOUS COUNCIL MEETINGS**6.1 OUTSTANDING ACTIONS FROM PREVIOUS COUNCIL MEETINGS AS AT 20 JULY 2022****RESOLUTION OM03/ 07/22**

Moved: Cr Mick Tully

Seconded: Cr George Fortune

THAT Council receives and notes outstanding actions from previous Council Meetings as at 20 July 2022.

CARRIED

7 DECLARATIONS OF CONFLICTS OF INTEREST

Mayor Cr Danielle Slade declared a declarable conflict of interest in Item 10.10 Office of the Independent Assessor Complaint Referral – Councillor Phillip Barwick C/22/00349 as she is the complainant. Mayor Cr Danielle Slade advised her intent to leave the meeting chamber and any area set aside for the public for the duration of the discussion, debate and vote in relation to the agenda item.

Deputy Mayor Cr Phil Barwick declared a declarable conflict of interest in Item 10.10 Office of the Independent Assessor Complaint Referral – Councillor Phillip Barwick C/22/00349 as he is the subject of the complaint. Deputy Mayor Cr Phil Barwick advised his intent to leave the meeting chamber and any area set aside for the public for the duration of the discussion, debate and vote in relation to the agenda item.

Cr Paul Stretton declared a prescribed conflict of interest in Item 14.3 Land Dealings Over Lots 9 & 10 on MPH13990 as the property owner is his neighbour. Cr Paul Stretton advised his intent to leave the meeting chamber and any area set aside for the public for the duration of the discussion, debate and vote in relation to the agenda item.

8 MAYORAL MINUTE

Nil

9 READING AND CONSIDERATION OF CORRESPONDENCE

9.1 CORRESPONDENCE REPORT - JUNE 2022

RESOLUTION OM04/ 07/22

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council receives and accepts the June 2022 Correspondence Report.

CARRIED

10 EXECUTIVE SERVICES REPORTS

10.1 COUNCILLOR SUMMARY REPORT - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 2022 NATIONAL GENERAL ASSEMBLY - 19-22 JUNE 2022

RESOLUTION OM05/ 07/22

Moved: Cr Peta MacRae

Seconded: Cr Phil Barwick

THAT Council receives and accepts the summary report from Councillor Peta MacRae regarding the Australian Local Government Association (ALGA) 2022 National General Assembly held in Canberra 19-22 June 2022.

CARRIED

10.2 MEDIA AND COMMUNICATIONS OVERVIEW REPORT - MAY AND JUNE 2022

RESOLUTION OM06/ 07/22

Moved: Cr Peta MacRae

Seconded: Cr Paul Stretton

THAT Council receives and accepts the May and June 2022 Media and Communications Overview Report.

CARRIED

10.3 2022 LGAQ BUSH COUNCILS CONVENTION 26-28 JULY 2022**RESOLUTION OM07/ 07/22**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council is represented at the 2022 LGAQ Bush Councils Convention, to be held in Barcaldine from 26 to 28 July 2022 by Cr Peta MacRae.

CARRIED

10.4 SUBMISSION OF MOTION TO LGAQ ANNUAL CONFERENCE - SERVICE PLANNING**RESOLUTION OM08/ 07/22**

Moved: Cr Peta MacRae

Seconded: Cr Mick Tully

THAT Council endorse the submission of motion to the LGAQ Annual Conference 2022 calling on the State and Federal Government to provide detailed information on the services that are funded in each local government authority on an annual basis.

CARRIED

10.5 SUBMISSION OF MOTION TO LGAQ ANNUAL CONFERENCE - BUSINESS PLANNING FOR HOUSING**RESOLUTION OM09/ 07/22**

Moved: Cr Phil Barwick

Seconded: Cr Paul Stretton

THAT Council endorse the submission of motion to the LGAQ Annual Conference 2022 calling on the State Government and Queensland Treasury Corporation to support the development of local government housing projects through the provision of business planning resources.

CARRIED

10.6 SUBMISSION OF MOTION TO LGAQ ANNUAL CONFERENCE - DIVERSIFICATION OF SERVICE DELIVERY**RESOLUTION OM10/ 07/22**

Moved: Cr Peta MacRae

Seconded: Cr Mick Tully

THAT Council endorse the submission of motion to the LGAQ Annual Conference 2022 calling on the State and Federal Government to assist local government to diversify its service delivery to support financial sustainability.

CARRIED

10.7 SUBMISSION OF MOTION TO LGAQ ANNUAL CONFERENCE - COUNCILLOR CONDUCT REVIEW PANEL**RESOLUTION OM11/ 07/22**

Moved: Cr Mick Tully
Seconded: Cr Peta MacRae

THAT Council endorse the submission of motion to the LGAQ Annual Conference 2022 calling on the State Government to investigate the establishment of a Councillor Conduct Review Panel.

CARRIED

10.8 DEVELOPMENT AND LAND USE QUARTER FOUR (4) OVERVIEW REPORT**RESOLUTION OM12/ 07/22**

Moved: Cr George Fortune
Seconded: Cr Mick Tully

THAT Council receives and accepts the Development and Land Use Quarter Four (4) Overview Report.

CARRIED

10.9 2022-2023 OPERATIONAL PLAN**RESOLUTION OM13/ 07/22**

Moved: Cr Phil Barwick
Seconded: Cr Mick Tully

THAT Council approve the 2022-2023 Operational Plan as presented.

CARRIED

At 9:51 am, Mayor Cr Danielle Slade left the meeting due to a declared declarable conflict of interest in Item 10.10. Cr George Fortune assumed the chair.

At 9:51 am, Deputy Mayor Cr Phil Barwick left the meeting due to a declared declarable conflict of interest in Item 10.10.

10.10 OFFICE OF THE INDEPENDENT ASSESSOR COMPLAINT REFERRAL - COUNCILLOR PHILLIP BARWICK C/22/00349**RESOLUTION OM14/ 07/22**

Moved: Cr Kim Coghlan
Seconded: Cr Paul Stretton

THAT Council note receipt of the Councillor Complaint Investigation Report

AND

THAT Council note the findings of this report that Cr Phillip Barwick has engaged in inappropriate conduct as defined under section 150K(1) of the *Local Government Act 2009* on two occasions when referring to the Mayor's behaviour as erratic and reckless on his Facebook page.

AND

THAT pursuant to Section 150AH(1)(a) of the *Local Government Act 2009* Council makes an Order that no further action be taken

CARRIED

At 9:56 am, Cr Danielle Slade returned to the meeting and resumed the chair.

At 9:56 am, Cr Phil Barwick returned to the meeting.

10.11 MOUNT ISA AGRICULTURAL SHOW 16 AND 17 JUNE 2023 - APPLICATION FOR APPOINTMENT OF ANNUAL SHOW HOLIDAY

RESOLUTION OM15/ 07/22

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT Council endorse the nominated date for the 2023 Mount Isa Agricultural Show holidays to occur on Friday 16 June 2023.

CARRIED

11 CORPORATE AND COMMUNITY SERVICES REPORTS

11.1 FINANCE OVERVIEW REPORT - JUNE 2022

RESOLUTION OM16/ 07/22

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council receives and accepts the June 2022 Finance Overview Report as presented.

CARRIED

11.2 LOCAL LAWS OVERVIEW REPORT - MAY 2022 AND JUNE 2022

RESOLUTION OM17/ 07/22

Moved: Cr Paul Stretton

Seconded: Cr Kim Coghlan

THAT Council receives and accepts the May 2022 and June 2022 Local Laws Overview Report.

CARRIED

11.3 WASTE MANAGEMENT OVERVIEW REPORT - MAY 2022 AND JUNE 2022**RESOLUTION OM18/ 07/22**

Moved: Cr Paul Stretton

Seconded: Cr Mick Tully

THAT Council receives and accepts the May 2022 and June 2022 Waste Management Overview Report as presented.

CARRIED

11.4 ENVIRONMENTAL AND BIOSECURITY OVERVIEW REPORT - MAY 2022 AND JUNE 2022**RESOLUTION OM19/ 07/22**

Moved: Cr Paul Stretton

Seconded: Cr Phil Barwick

THAT Council receives and accepts the May 2022 and June 2022 Environmental and Biosecurity Overview Report.

CARRIED

11.5 SPLASHEZ OVERVIEW REPORT - JUNE 2022**RESOLUTION OM20/ 07/22**

Moved: Cr Kim Coghlan

Seconded: Cr Paul Stretton

THAT Council receives and accepts the June 2022 Splashez Overview Report as presented.

CARRIED

11.6 ERP IMPLEMENTATION STATUS REPORT**RESOLUTION OM21/ 07/22**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council receives and notes the report on the status of the Enterprise Resource Plan implementation (ERP) as presented.

CARRIED

11.7 PROJECT MANAGEMENT SOFTWARE**RESOLUTION OM22/ 07/22**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council support the procurement of the Pulse Project Management software.

CARRIED

11.8 COMMUNITY GRANTS POLICY UPDATE

RESOLUTION OM23/ 07/22

Moved: Cr Paul Stretton

Seconded: Cr Peta MacRae

THAT Council adopts the Community Grants Policy version 4 as presented.

CARRIED

11.9 ALLOCATION OF GAZETTED ROAD NAME FOR MICA CREEK SOLAR FARM ACCESS ROAD

RESOLUTION OM24/ 07/22

Moved: Cr Phil Barwick

Seconded: Cr Paul Stretton

THAT Council adopts "MORAN ROAD" as the gazetted name for the current unnamed access road traversing Lot 10 on SP293841 for access to Mica Creek Solar Farm lease area over Lot 2 on plan SP222005.

CARRIED

11.10 FAMILY FUN PARK - INTERPRETIVE SIGNAGE

RESOLUTION OM25/ 07/22

Moved: Cr Kim Coghlan

Seconded: Cr Mick Tully

THAT Council recommends option one (1) including Images of Fauna and Flora with naming being presented in both English and Kalkadoon traditional language.

OR

THAT Council recommends option two (2) including fun facts about Mount Isa through the presentation of information that people may not be aware of re Mount Isa and the region.

OR

THAT Council recommends option three (3) through the presentation of images and information of famous landmarks/people from the region with brief descriptors.

CARRIED

12 INFRASTRUCTURE SERVICES REPORTS**12.1 MAJOR PROJECTS OVERVIEW REPORT****RESOLUTION OM26/ 07/22**

Moved: Cr Mick Tully

Seconded: Cr George Fortune

THAT Council receives and accepts the June 2022 Major Projects Overview Report as presented.**CARRIED**

12.2 WORKS AND OPERATIONS OVERVIEW REPORT**RESOLUTION OM27/ 07/22**

Moved: Cr Mick Tully

Seconded: Cr George Fortune

THAT Council receives and accepts the June 2022 Works and Operations Overview Report**CARRIED**

Cr Kim Coghlan declared a declarable conflict of interest in Item 12.3 Old Mica Creek Road Boiled Water Alert Notification as she lives on Old Mica Creek Road. Cr Kim Coghlan advised that although she has a declarable conflict she did not believe a reasonable person could have a perception of bias as the item does not directly affect her. She advised her intent to remain in the meeting.

MOTION**RESOLUTION OM28/ 07/22**

Moved: Cr Mick Tully

Seconded: Cr Phil Barwick

THAT Council allow Cr Kim Coghlan to remain and participate in the decision for Item 12.3 Old Mica Creek Road Boiled Water Alert Notification.**CARRIED**

Cr Paul Stretton declared a declarable conflict of interest in Item 12.3 Old Mica Creek Road Boiled Water Alert Notification as an immediate family member lives on Old Mica Creek Road. Cr Paul Stretton advised that although he has a declarable conflict he did believe a reasonable person could have a perception of bias as the item does not directly affect him. He advised his intent to remain in the meeting.

MOTION**RESOLUTION OM29/ 07/22**

Moved: Cr Kim Coghlan

Seconded: Cr Mick Tully

THAT Council allow Cr Paul Stretton to remain and participate in the decision for Item 12.3 Old Mica Creek Road Boiled Water Alert Notification..**CARRIED**

12.3 OLD MICA CREEK ROAD BOILED WATER ALERT NOTIFICATION**RESOLUTION OM30/ 07/22**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council apply a 10% discount to the water accounts of properties (both to the water charge and the volumetric charge) impacted by a Boil Water Alert, for the period the property is impacted. The discount is to be applied to the account at the time of billing and is to commence from 1 July 2022.

CARRIED

12.4 FLOOD WARNING SIGNAGE FOR FLOODWAYS**RESOLUTION OM31/ 07/22**

Moved: Cr Mick Tully

Seconded: Cr Paul Stretton

THAT Council award contract 2022-53 to Aquamonix Pty Ltd for the sum of \$561,453.20 (excl. GST) with a 10 % for the supply and installation of six flood monitoring systems that will interface with the Guardian system.

CARRIED

12.5 AWARD OF - RFT 2022-68 MOUNT ISA CITY STREETS REHAB AND RESEAL STAGE 2 TO FULTON HOGAN**RESOLUTION OM32/ 07/22**

Moved: Cr Mick Tully

Seconded: Cr Kim Coghlan

THAT Council award Contract 2022-68 to Fulton Hogan Industries for the Mount Isa City Streets rehabilitation and reseal 2022-2023 program for the value of \$1,170,763.35 (excl. GST).

CARRIED

13 GENERAL BUSINESS

Nil

Council Adjourned: 10:34am

Council Reconvened: 10:49am

14 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**RESOLUTION OM33/ 07/22**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council considers the confidential report(s) listed below in a meeting closed to the public 10:50am in accordance with Section 254J of the Local Government Regulation 2012:

14.1 MRF Design Road Upgrade & Weighbridge Variation

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

14.2 Centennial Place - Construction Tenders

This matter is considered to be confidential under Section 254J - c of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the local government's budget.

14.3 Land Dealings Over Lots 9 & 10 on MPH13990

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

14.4 Acquisition of Land

This matter is considered to be confidential under Section 254J - h of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967.

14.5 MICCOE Strategic Review - Future Planning

This matter is considered to be confidential under Section 254J - b of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with industrial matters affecting employees.

CARRIED

RECOMMENDATION**RESOLUTION OM34/ 07/22**

Moved: Cr Mick Tully

Seconded: Cr Peta MacRae

THAT Council moves out of Closed Council into Open Council at 11:24am.

CARRIED

14.1 MRF DESIGN ROAD UPGRADE & WEIGHBRIDGE VARIATION**RESOLUTION OM35/ 07/22**

Moved: Cr George Fortune

Seconded: Cr Paul Stretton

THAT Council approves the fee proposal of \$44,820.00 (ex. GST) and execute a variation to the agreement with MODE Design Corp. for MRF building design to include road upgrade and weighbridge design and documentation.

CARRIED

14.2 CENTENNIAL PLACE - CONSTRUCTION TENDERS**RESOLUTION OM36/ 07/22**

Moved: Cr Peta MacRae

Seconded: Cr Phil Barwick

THAT Council provide special delegation to the Chief Executive Officer to approve the award of contracts valued greater than \$200,000 (ex GST) for the Centennial Place project up to the adopted project budget of \$3,600,000 (ex GST).

CARRIED

At 11:26 am, Cr Paul Stretton left the meeting due to a prescribed conflict of interest in Item 14.3.

14.3 LAND DEALINGS OVER LOTS 9 & 10 ON MPH13990**RESOLUTION OM37/ 07/22**

Moved: Cr George Fortune

Seconded: Cr Kim Coghlan

THAT Council

1. Accept the independent valuation report prepared by Leeson Valuers dated 07/04/2022; and
2. Provide authority to the Chief Executive Officer to negotiate with the landowner of Lots 9 and 10 on MPH13990 and report back to Council.

CARRIED

At 11:27 am, Cr Paul Stretton returned to the meeting.

14.4 ACQUISITION OF LAND**RESOLUTION OM38/ 07/22**

Moved: Cr George Fortune

Seconded: Cr Mick Tully

THAT Council resolves to:

- (a) repeal previous resolution OM32/04/22.
-

(b) acquire the land described as Lot 9 on Crown Plan MPH14003, Lot 1 on Crown Plan MPH21995 and Lot 2 on Crown Plan MPH7949 (Assessment No. 05993-00000-000) for overdue rates or charges pursuant to section 149(1) of the Local Government Regulation 2012; and

(c) delegate to the Chief Executive Officer its powers to give a Notice of Intention to Acquire the land to all interested parties, and power to take all further steps required under sections 149, 150 and 151 of the Local Government Regulation 2012 to effect the acquisition of the land.

CARRIED

14.5 MICCOE STRATEGIC REVIEW - FUTURE PLANNING

RESOLUTION OM39/ 07/22

Moved: Cr George Fortune

Seconded: Cr Mick Tully

THAT Council approves the Hybrid model and allows for the operations of the Buchanan Park and Civic Centre to be merged into Mount Isa City Council operations and Outback at Isa to be retained under MICCOE.

CARRIED

There being no further business the Meeting closed at 11:29am.

The minutes of this meeting were confirmed at the Council Meeting held on 31 August 2022.

.....
CHAIRPERSON